CDJ

15 CV. 1766

JS 44 (Rev. 12/12)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

I. (a) PLAINTIFFS

SKILLSURVEY, INC.

DEFENDANTS

CHECKSTER LLC,

(b) County of Residence of First Listed Plaintiff   **Delaware County**
(EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant   **Marrin County**
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

Greenberg Traurig, LLP - 2700 Two Commerce Square, 2001 Market Street, Philadelphia, PA 19103 - (215) 988-7800

Attorneys *(If Known)*

II. BASIS OF JURISDICTION *(Place an "X" in One Box Only)*

◻ 1   U.S. Government
Plaintiff

☒ 3   Federal Question
(U.S. Government Not a Party)

◻ 2   U.S. Government
Defendant

◻ 4   Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES *(Place an "X" in One Box for Plaintiff and One Box for Defendant)*
(For Diversity Cases Only)

	PTF	DEF		PTF	DEF
Citizen of This State	◻ 1	◻ 1	Incorporated *or* Principal Place of Business In This State	◻ 4	◻ 4
Citizen of Another State	◻ 2	◻ 2	Incorporated *and* Principal Place of Business In Another State	◻ 5	◻ 5
Citizen or Subject of a Foreign Country	◻ 3	◻ 3	Foreign Nation	◻ 6	◻ 6

IV. NATURE OF SUIT *(Place an "X" in One Box Only)*

CONTRACT	TORTS		FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
◻ 110 Insurance	**PERSONAL INJURY**	**PERSONAL INJURY**	◻ 625 Drug Related Seizure	◻ 422 Appeal 28 USC 158	◻ 375 False Claims Act
◻ 120 Marine	◻ 310 Airplane	◻ 365 Personal Injury -	of Property 21 USC 881	◻ 423 Withdrawal	◻ 400 State Reapportionment
◻ 130 Miller Act	◻ 315 Airplane Product	Product Liability	◻ 690 Other	28 USC 157	◻ 410 Antitrust
◻ 140 Negotiable Instrument	Liability	◻ 367 Health Care/			◻ 430 Banks and Banking
◻ 150 Recovery of Overpayment	◻ 320 Assault, Libel &	Pharmaceutical		**PROPERTY RIGHTS**	◻ 450 Commerce
& Enforcement of Judgment	Slander	Personal Injury		☒ 820 Copyrights	◻ 460 Deportation
◻ 151 Medicare Act	◻ 330 Federal Employers'	Product Liability		☒ 830 Patent	◻ 470 Racketeer Influenced and
◻ 152 Recovery of Defaulted	Liability	◻ 368 Asbestos Personal		◻ 840 Trademark	Corrupt Organizations
Student Loans	◻ 340 Marine	Injury Product			◻ 480 Consumer Credit
(Excludes Veterans)	◻ 345 Marine Product	Liability	**LABOR**	**SOCIAL SECURITY**	◻ 490 Cable/Sat TV
◻ 153 Recovery of Overpayment	Liability	**PERSONAL PROPERTY**	◻ 710 Fair Labor Standards	◻ 861 HIA (1395ff)	◻ 850 Securities/Commodities/
of Veteran's Benefits	◻ 350 Motor Vehicle	◻ 370 Other Fraud	Act	◻ 862 Black Lung (923)	Exchange
◻ 160 Stockholders' Suits	◻ 355 Motor Vehicle	◻ 371 Truth in Lending	◻ 720 Labor/Management	◻ 863 DIWC/DIWW (405(g))	◻ 890 Other Statutory Actions
◻ 190 Other Contract	Product Liability	◻ 380 Other Personal	Relations	◻ 864 SSID Title XVI	◻ 891 Agricultural Acts
◻ 195 Contract Product Liability	◻ 360 Other Personal	Property Damage	◻ 740 Railway Labor Act	◻ 865 RSI (405(g))	◻ 893 Environmental Matters
◻ 196 Franchise	Injury	◻ 385 Property Damage	◻ 751 Family and Medical		◻ 895 Freedom of Information
	◻ 362 Personal Injury -	Product Liability	Leave Act		Act
	Medical Malpractice		◻ 790 Other Labor Litigation		◻ 896 Arbitration
REAL PROPERTY	**CIVIL RIGHTS**	**PRISONER PETITIONS**	◻ 791 Employee Retirement	**FEDERAL TAX SUITS**	◻ 899 Administrative Procedure
◻ 210 Land Condemnation	◻ 440 Other Civil Rights	**Habeas Corpus:**	Income Security Act	◻ 870 Taxes (U.S. Plaintiff	Act/Review or Appeal of
◻ 220 Foreclosure	◻ 441 Voting	◻ 463 Alien Detainee		or Defendant)	Agency Decision
◻ 230 Rent Lease & Ejectment	◻ 442 Employment	◻ 510 Motions to Vacate		◻ 871 IRS—Third Party	◻ 950 Constitutionality of
◻ 240 Torts to Land	◻ 443 Housing/	Sentence		26 USC 7609	State Statutes
◻ 245 Tort Product Liability	Accommodations	◻ 530 General			
◻ 290 All Other Real Property	◻ 445 Amer. w/Disabilities -	◻ 535 Death Penalty	**IMMIGRATION**		
	Employment	**Other:**	◻ 462 Naturalization Application		
	◻ 446 Amer. w/Disabilities -	◻ 540 Mandamus & Other	◻ 465 Other Immigration		
	Other	◻ 550 Civil Rights	Actions		
	◻ 448 Education	◻ 555 Prison Condition			
		◻ 560 Civil Detainee -			
		Conditions of			
		Confinement			

V. ORIGIN *(Place an "X" in One Box Only)*

☒ 1 Original
Proceeding

◻ 2 Removed from
State Court

◻ 3 Remanded from
Appellate Court

◻ 4 Reinstated or
Reopened

◻ 5 Transferred from
Another District
(specify)

◻ 6 Multidistrict
Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*:
35 U.S.C. Section 1 et seq.

Brief description of cause:
Patent Infringement

VII. REQUESTED IN COMPLAINT:

◻ CHECK IF THIS IS A CLASS ACTION
UNDER RULE 23, F.R.Cv.P.

DEMAND $

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes   ◻ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE _____   DOCKET NUMBER _____

DATE
04/25/2015

SIGNATURE OF ATTORNEY OF RECORD
[signature]

FOR OFFICE USE ONLY

RECEIPT # _____   AMOUNT _____   APPLYING IFP _____   JUDGE _____   MAG. JUDGE _____

APR - 6 2015

CDJ

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 565 East Swedesford Road, Suite 315, Wayne, Pennsylvania 19087

Address of Defendant: 35 Miller Avenue, #183, Mill Valley, California 94941

15   1766

Place of Accident, Incident or Transaction: _____

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))   Yes☐   No☒

Does this case involve multidistrict litigation possibilities?   Yes☐   No☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
                                                                                                         Yes☐   No☒

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
                                                                                                         Yes☐   No☒

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
                                                                                                         Yes☐   No☒

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
                                                                                                         Yes☐   No☒

CIVIL: (Place ✔ in ONE CATEGORY ONLY)

A. *Federal Question Cases:*

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☒ Patent
6. ☐ Labor-Management Relations
7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases
11. ☐ All other Federal Question Cases
    (Please specify) _____

B. *Diversity Jurisdiction Cases:*

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases
    (Please specify) _____

ARBITRATION CERTIFICATION
(Check Appropriate Category)

I, Robert M. Goldich, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of $150,000.00 exclusive of interest and costs;

☒ Relief other than monetary damages is sought.

DATE: 4/6/15 _____ Attorney-at-Law _____ 2559 Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 4/6/15 _____ Attorney-at-Law APR 6 2015 _____ 2559 Attorney I.D.#

CIV. 609 (5/2012)

CDJ IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CASE MANAGEMENT TRACK DESIGNATION FORM

	:	CIVIL ACTION
v.	:	
	:	NO. 1788
	:	

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

(a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255.   ( )

(b) Social Security – Cases requesting review of a decision of the Secretary of Health
    and Human Services denying plaintiff Social Security Benefits.   ( )

(c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2.   ( )

(d) Asbestos – Cases involving claims for personal injury or property damage from
    exposure to asbestos.   ( )

(e) Special Management – Cases that do not fall into tracks (a) through (d) that are
    commonly referred to as complex and that need special or intense management by
    the court. (See reverse side of this form for a detailed explanation of special
    management cases.)

(f) Standard Management – Cases that do not fall into any one of the other tracks.   (✓)

4/6/15	Robert M Goldich	Skill Survey Inc
Date	**Attorney-at-law**	**Attorney for**
215 988 7883	215 717 5242	Goldichm@GTLaw.com
Telephone	**FAX Number**	**E-Mail Address**

(Civ. 660) 10/02

APR - 6 2015

$400

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SKILLSURVEY, INC.,   )
)
                    Plaintiff,   )   15   1766
)
        v.   )   Civil Action No.:
)
CHECKSTER LLC,   )   **JURY DEMANDED**
)
                    Defendant.   )
)

COMPLAINT FOR PATENT INFRINGEMENT

For its Complaint against Defendant Checkster LLC ("Checkster"), Plaintiff

SkillSurvey, Inc. ("SkillSurvey") alleges as follows:

NATURE OF ACTION

1.   This is a civil action for patent infringement arising under the patent

laws of the United States, 35 U.S.C. § 1 et seq., and seeking damages and

injunctive relief under, inter alia, 35 U.S.C. §§ 154(d), 271, 281, 283–285.

THE PARTIES

2.   Plaintiff SkillSurvey is a corporation organized under the laws of the

State of Delaware, having its principal place of business in this district at 565 East

Swedesford Road, Suite 315, Wayne, Pennsylvania 19087.

3.   On information and belief, Defendant Checkster is a limited liability company organized under the laws of the State of California, having a Post Office mailing address at 35 Miller Avenue, #183, Mill Valley, California 94941. On information and belief, Checkster produces, uses, markets, promotes, demonstrates, offers to sell, sells and/or otherwise provides automated reference checking products and services throughout the United States, including within the Commonwealth of Pennsylvania and this district.

JURISDICTION AND VENUE

4.   This Court has subject matter jurisdiction over this controversy under 28 U.S.C. §§ 1331 and 1338(a).

5.   This Court has personal jurisdiction over this controversy for at least the reasons that Checkster continuously, systematically, and purposefully solicits and conducts business within the Commonwealth of Pennsylvania and this district including, but not limited to, via its website (www.Checkster.com) and Checkster's related marketing, promotion, use, demonstration, distribution and sales to entities such as the Penn State Hershey Medical Center (see, e.g., http://www.checkster.com/customers/ and http://www.checkster.com/penn-state-hershey-medical-center) of its infringing automated reference checking products and/or services. Such unauthorized infringing activities have inflicted substantial

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and irreparable injury in this district on SkillSurvey's business, and will continue to do so unless enjoined by this Court.

6.   Venue in this district is proper under 28 U.S.C. § 1391 and/or 28 U.S.C. §1400.

BACKGROUND

7.   SkillSurvey is the owner of all right, title, and interest in and to a portfolio of patents (the "SkillSurvey Patents"), including United States Patent No. 8,894,416 ("the '416 Patent"). The '416 Patent is titled "SYSTEM AND METHOD FOR EVALUATING JOB CANDIDATES," and was duly and legally issued by the United States Patent and Trademark Office ("PTO") on November 25, 2014. A true and correct copy of the '416 Patent is attached as Exhibit A.

8.   SkillSurvey's patented, award-winning technologies such as Pre-Hire 360® have revolutionized conventional hiring processes around the world. Since its invention, millions of people in nearly 200 countries have used the patented system and process. It has empowered hundreds of companies across virtually every major industry such as healthcare (800+ healthcare facilities), retail, consumer products, energy, technology, staffing, food and beverage, and higher education, to source, recruit, and hire the best people for every role in their organization.   SkillSurvey's pioneering invention has been proven to deliver

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improved hiring results (higher performance, retention, etc.) with substantial cost savings, by transforming what traditionally was an afterthought and the least relevant step in the hiring decision process -- reference-checking -- into the threshold, key determinative step, and combining it for the first time in history with, *inter alia*, decades of behavioral research and science, a computerized library of hundreds of job-specific surveys, a fully-automated configuration that ensures confidentiality, resulting in more candid, trustworthy and reliable feedback data on a candidate, which is then benchmarked against (and incorporated into) SkillSurvey's database of accumulated feedback from of others who have applied for the same or similar positions using predictive statistical talent analytics to generate detailed reports.

9.   Checkster has been using, and continues to use, without authorization, SkillSurvey's patented inventions to make and sell automated reference checking systems and services in competition with SkillSurvey including, but not limited to, "Automated Reference Checkup" (http://www.checkster.com/solutions/automated-reference-checkup) and other similar Checkster products. Checkster touts its infringing use of SkillSurvey's invention as providing an "easy-to-use," "completely automated," "cost effective," and "extraordinarily accurate" process that "helps ascertain the real truth" about a candidate through confidentiality-driven "real, honest feedback," custom computerized assessment surveys, and a

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statistically benchmarked "in-depth report" (*id.*), that has solved "the pervasive problem of making the right talent decision."

10.   SkillSurvey has actively publicized the SkillSurvey Patents to the interested public, including on its website (http://www.skillsurvey.com/patents) and through press releases (http://www.skillsurvey.com/news/skillsurvey-awarded-three-additional-u-s-patents-pre-hire-360). To the extent required, SkillSurvey has marked its products with the '416 patent as required by 35 U.S.C. § 287. Moreover, by letter dated April 24, 2009, SkillSurvey put Checkster on notice of its provisional patent rights under 35 U.S.C. § 154(d), enclosing a copy of SkillSurvey's published U.S. Patent Application Publication No. 2005/0033633, and advising of its belief that Checkster's system and activities were covered thereby. Checkster did not respond to SkillSurvey's letter.

11.   On information and belief, Checkster has monitored SkillSurvey's patent filings, prosecution activities, and grants of patents to SkillSurvey, and as a result has had actual notice of the SkillSurvey Patents, including the '416 Patent, since shortly after issuance by the PTO. Checkster's actual knowledge of SkillSurvey's Patents has been confirmed by several sources, including by Checkster itself in an unprompted telephone conversation shortly after allowance of one of the SkillSurvey Patents last year, wherein Checkster inquired as to infringement by Checkster's products. Discovery is likely to reveal the exact date

on which Checkster gained such actual knowledge.

12.   On information and belief, despite Checkster's actual knowledge of the '416 Patent, Checkster has willfully maintained its infringing activities, including making, using, selling, and offering for sale its infringing automated reference checking products and services.

13.   Checkster's actions have caused, and will continue to cause, substantial and irreparable harm to SkillSurvey and its business operations unless such acts are restrained by this Court.

PATENT INFRINGEMENT

14.   SkillSurvey incorporates by reference the allegations contained in Paragraphs 1–12 of this Complaint as if fully set forth herein.

15.   In violation of 35 U.S.C. § 271(a), Checkster has infringed, and is infringing, one or more claims of the '416 Patent by making, using, distributing, selling, offering for sale and/or importing into the United States automated reference checking systems, processes and services that contain each and every element of one or more claims of the '416 Patent, either literally or under the doctrine of equivalents.

16.   Checkster markets, promotes, offers to sell, and sells its automated reference checking products and services to end users including, but not limited to,

the "Customers" identified on Checkster's website (www.Checkster/customers). The end users of Checkster's automated reference checking products and services directly infringe, literally and/or under the doctrine of equivalents, one or more claims of the '416 Patent by acts which include, but are not limited to, using Checkster's automated reference checking system, process, and services in a manner claimed in one or more claims of the '416 Patent.

17.   On information and belief, in violation of 35 U.S.C. § 271(b), Checkster actively induces, encourages and causes end users to infringe one or more claims of the '416 Patent through, among other things, Checkster's marketing, promotional and advertising materials, including via its website (www.Checkster.com), as well as technical support and assistance provided to end users in connection with their use of SkillSurvey's patented invention, with full knowledge of the '416 Patent as described above, and with intent, awareness and/or willful blindness of the fact that the actions induced thereby constitute patent infringement of one or more claims thereof.

18.   On information and belief, in violation of 35 U.S.C. § 271(c), Checkster has contributed, and continues to contribute, to the infringement of one or more claims of the '416 Patent based on its offers to sell and sales to end users of automated reference checking systems, processes, and services which constitute a material part of the inventions claimed in one or more claims of the '416 Patent,

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knowing that they are especially made and/or adapted for use in an infringement of one or more claims of the '416 Patent, and that Checkster's automated reference checking systems, processes, and services are not staple articles of commerce suitable for substantial noninfringing use.

19.   On information and belief, Checkster's infringing acts are, have been, and continue to be willful, with full knowledge of the '416 Patent, and in willful, wanton, reckless, and deliberate disregard thereof.

20.   As a direct and proximate consequence of the unauthorized acts and practices of Checkster, SkillSurvey has been, is being, and, unless such acts and practices are enjoined by the Court, will continue to be, injured in its business and property rights, and has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under 35 U.S.C. § 284, including but not limited to provisional damages under 35 U.S.C. § 154(d).

21.   As a direct and proximate consequence of the unauthorized acts and practices of Checkster, Checkster has also caused, is causing, and, unless such acts and practices are enjoined by the Court, will continue to cause irreparable harm to SkillSurvey for which there is no adequate remedy at law, and for which SkillSurvey is entitled to injunctive relief under 35 U. S. C. § 283.

PRAYER FOR RELIEF

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WHEREFORE, SkillSurvey respectfully requests that this Court enter a Judgment and Order:

a.   Declaring that Checkster has directly infringed, induced infringement of, and/or contributorily infringed, one or more claims of the '416 Patent;

b.   Preliminarily and permanently enjoining Checkster and its respective officers, agents, servants, employees, and attorneys, and those persons in active concert or participation with them, from committing further acts of infringement under 35 U.S.C. § 271 of one or more claims of the '416 Patent pursuant to 35 U.S.C. § 283;

c.   Awarding SkillSurvey its lost profits and other damages adequate to compensate for Checkster's infringement, but in no event less than a reasonable royalty, in accordance with 35 U.S.C. § 284, and including, but not limited to, provisional damages under 35 U.S.C. § 154(d);

d.   Declaring Checkster's infringement to be willful, and increasing damages awarded to SkillSurvey in this case up to three times the damages amount found by the jury or assessed by the Court pursuant to 35 U.S.C. § 284;

e.   Declaring this to be an "exceptional" case within the meaning of 35 U.S.C. § 285, and awarding SkillSurvey its reasonable attorney fees;

f.   Awarding SkillSurvey costs and prejudgment interest pursuant to 35

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U.S.C. § 284; and

g.   Awarding SkillSurvey such other and further relief as this Court deems just, proper and equitable.

DEMAND FOR JURY TRIAL

SkillSurvey hereby demands a trial by jury on all issues in this action that are so triable as a matter of right and law.

Respectfully submitted,

DATED: April 6, 2015   By: _Robt M Sh_

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Attorneys for Plaintiff
SkillSurvey, Inc.

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US008894416B1

(12) **United States Patent**
LaPasta et al.

(10) **Patent No.:**   **US 8,894,416 B1**
(45) **Date of Patent:**   **Nov. 25, 2014**

(54) **SYSTEM AND METHOD FOR EVALUATING JOB CANDIDATES**

(71) Applicant: **Skill Survey, Inc.**, Berwyn, PA (US)

(72) Inventors: **Douglas G. LaPasta**, Hawley, PA (US); **Martha Mincer**, Milford, PA (US)

(73) Assignee: **Skill Survey, Inc.**, Berwyn, PA (US)

(*) Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 0 days.

(21) Appl. No.: **14/476,425**

(22) Filed: **Sep. 3, 2014**

Related U.S. Application Data

(63) Continuation of application No. 14/275,633, filed on May 12, 2014, which is a continuation of application No. 13/960,426, filed on Aug. 6, 2013, now Pat. No. 8,721,340, which is a continuation of application No. 10/912,433, filed on Aug. 4, 2004, now abandoned.

(60) Provisional application No. 60/492,457, filed on Aug. 4, 2003.

(51) **Int. Cl.**
G09B 19/00   (2006.01)
G06Q 10/10   (2012.01)

(52) **U.S. Cl.**
CPC *G06Q 10/1053* (2013.01)
USPC **434/219**

(58) **Field of Classification Search**
CPC G09B 19/00; G09B 3/00; G06F 7/00; G06F 17/60; G06F 17/30; G09G 5/00
USPC .... 434/156, 185, 308, 318, 319, 320, 107, 434/219, 322, 323, 325, 307 R, 363, 365, 434/350; 705/9, 10; 700/108; 709/223; 345/440
See application file for complete search history.
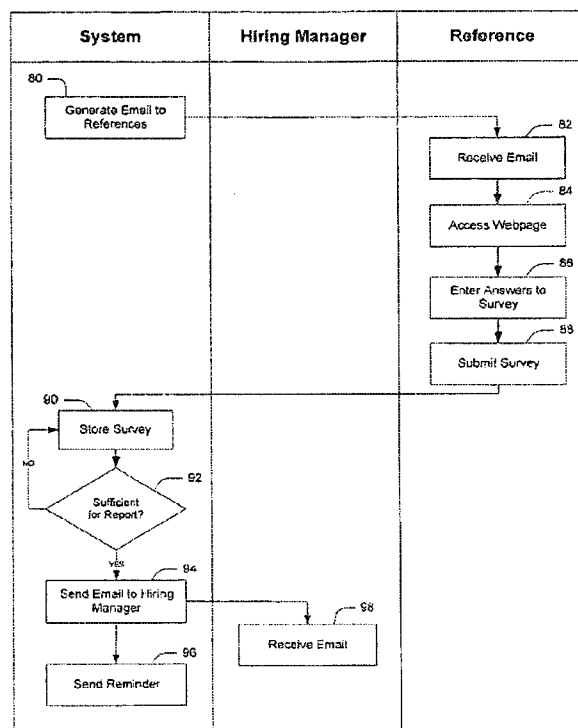
Primary Examiner — Kesha Frisby
(74) *Attorney, Agent, or Firm* — Greenberg Traurig, LLP

(57) **ABSTRACT**

Human resource system for collecting and analyzing survey data from reference providers identified by a job candidate for use by an employer. The system sends an electronic communication to the reference providers to request completion of survey questions and electronically receives the survey data from the reference providers, preferably through webpages. An analysis module combines the received survey data from the reference providers and generates a confidential candidate report for an employer which excludes identification of any ratings or comments by any reference providers. The system also generates customized interview probe questions for use during job interviews and coaching tactics for use after the hiring, based on the weak areas that have been identified from the completed surveys in order to assist the hiring manager to bring the new hires up to speed quickly and effectively.
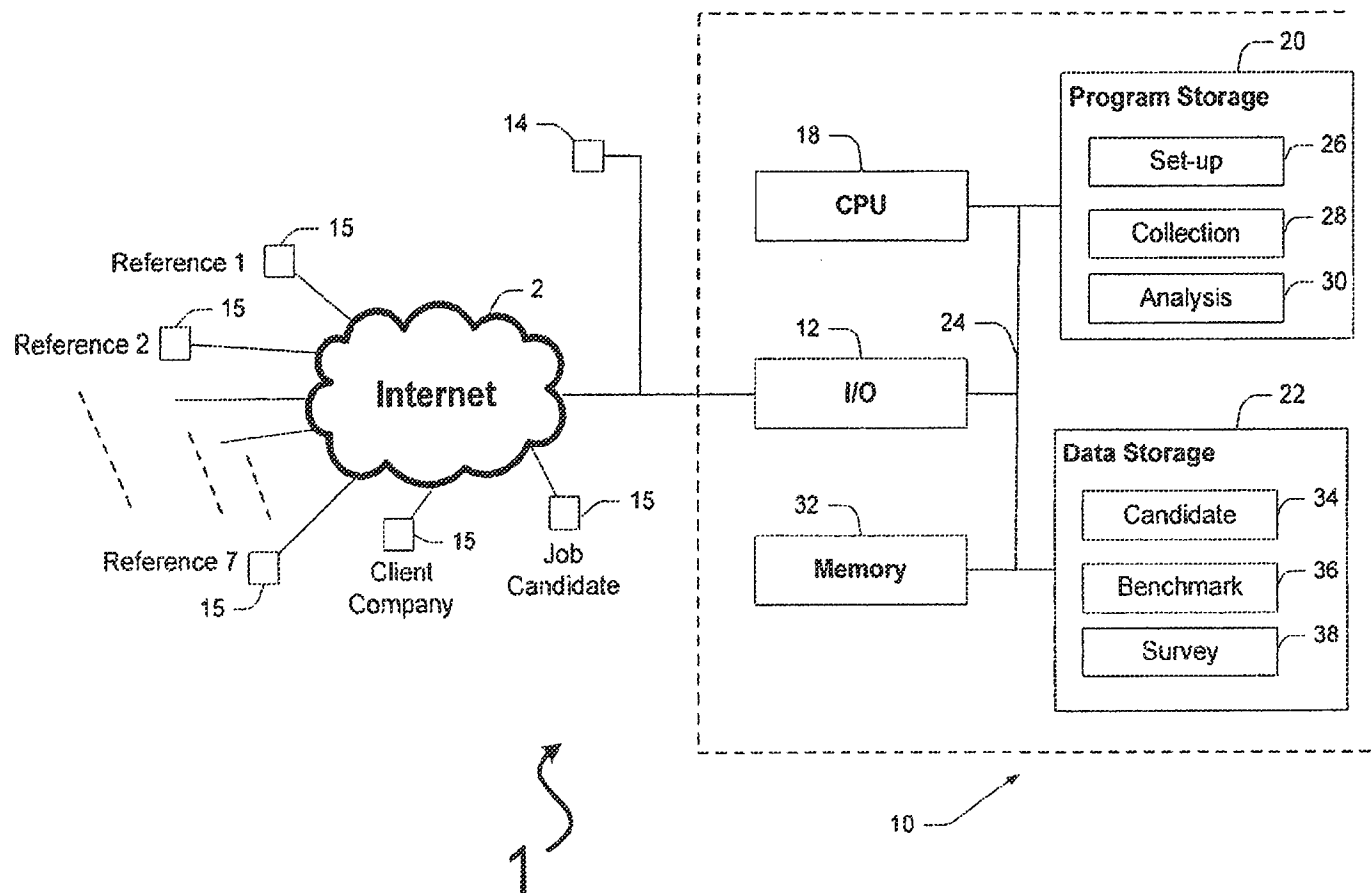
20 Claims, 24 Drawing Sheets

FIG.1

42 — Purchase and Set-up

44 — Candidate and references ID

46 — Survey Collection

48 — Analysis

50 — Continuous Update

FIG. 2

FIG. 3

FIG. 4

FIG. 5

FIG. 6

120 —— Wait One Month

122 —— Send Email to Hiring Manager

124 —— Candidate Hired?

YES

NO

128 —— Wait One Year

130 —— Send Email Requesting Performance Information

126 —— Store Response

132 —— Determine Correlation

FIG. 7

U.S. Patent   Nov. 25, 2014   **Sheet 8 of 24**   US 8,894,416 B1

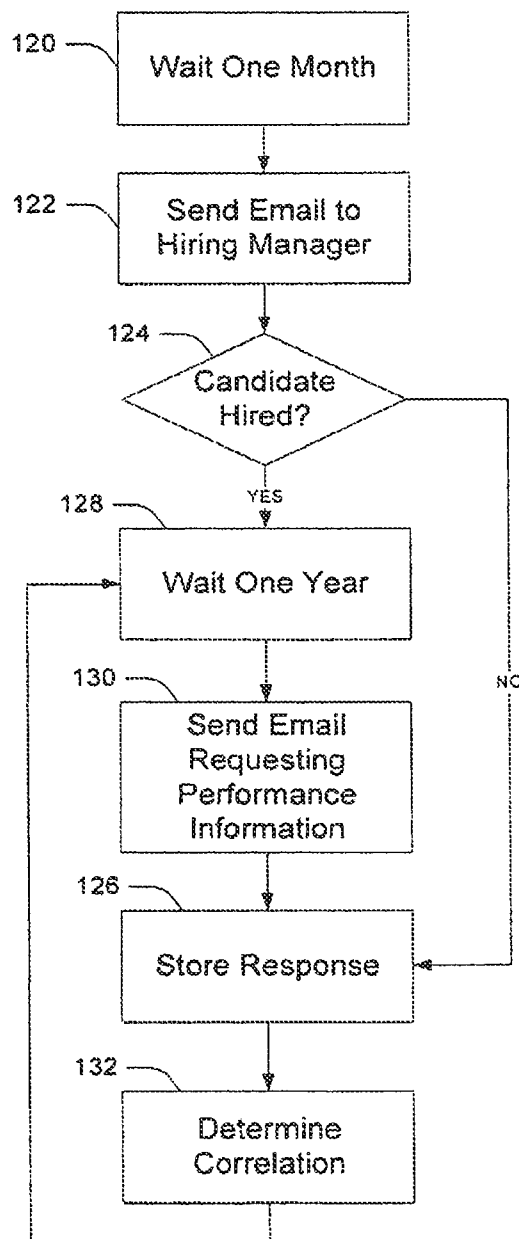**TO ANSWER QUESTIONS:**
Please answer each question throughout the survey by clicking on the appropriate button under the number that best describes the extent to which you feel Mark Candidate uses these skills.

If you cannot answer a particular question please leave it blank.

AS YOU READ EACH QUESTION, PLEASE KEEP IN MIND:

EXTENT SCALE

1 Never	2 Little Extent	3 Some Extent	4 Moderate Extent	5 Great Extent	6 Very Great Extent	7 Always

NOTE - By scoring a candidate a "7" on any item, you are indicating that the candidate uses the skill *at all times and under all circumstances*. By scoring a "1" you are indicating that they *never* use this skill *under any circumstances*.

Your responses are personal and do not reflect the views of any company/organization to which you belong now or to which you have belonged in the past.

	To what extent does Mark Candidate	Never 1	2	3	4	5	6	Always 7
1.	Focus resources and energy on activities that will achieve the greatest results?	O	O	O	O	O	O	O
2.	Show resourcefulness in getting results under new or undefined business conditions?	O	O	O	O	O	O	O
3.	Continue to pursue goals despite problems and setbacks by demonstrating confidence, persistence, and a sense of urgency?	O	O	O	O	O	O	O
4.	Seek commitment rather than passive acceptance to goals and priorities in working with others?	O	O	O	O	O	O	O
5.	Work with others to establish clear and realistic roles, responsibilities, and goals, as well as effective plans to reach goals?	O	O	O	O	O	O	O
6.	Value and accommodate diversity?	O	O	O	O	O	O	O
7.	Listen intently to fully understand the needs and perspectives of others?	O	O	O	O	O	O	O
8.	Demonstrate a genuine commitment to helping other people improve their effectiveness and succeed (e.g., by fully sharing information, expertise and resources), rather than always serving his/her own needs?	O	O	O	O	O	O	O
9.	Give helpful and constructive (rather than negative or punishing) feedback on the performance of others?	O	O	O	O	O	O	O
10.	Recognize and praise others' efforts and accomplishments?	O	O	O	O	O	O	O
11.	Focus on getting results for the business rather than on "turf" issues?	O	O	O	O	O	O	O
12.	Work to build strong networks with peer level managers, boss, and all support areas?	O	O	O	O	O	O	O
13.	Encourage team members to develop strong positive relationships with each other?	O	O	O	O	O	O	O
14.	Show support for the organization, its values, and its goals?	O	O	O	O	O	O	O
15.	Take personal responsibility for his/her actions and results, without blaming others or making excuses?	O	O	O	O	O	O	O
16.	Demonstrate high standards of personal integrity and credibility?	O	O	O	O	O	O	O

FIG. 8A

COMMENTS

No matter how you rated Mark please type in below at least one area of "Strength" and one area in which the candidate "Could Improve."

This information is also anonymous. No one will be identified in the report as having written the comment.

Strengths:

Could Improve:

FIG. 8B

Dear Mark,

Congratulations on your opportunity to become a District Manager with Alpha Insurance Co.. As already explained to you, a critical step in the selection process is to electronically survey your references. SkillSurvey, a leader in Web-based referencing, is the third-party service bureau that conducts this survey.

Click on the link below. It takes you to an on-line form where you can review a sample of the survey questions and input the information on the references you choose. Skillsurvey will automatically send the appropriate survey to these references. Responses will be e-mailed directly to SkillSurvey, averaged together and sent to Alpha Insurance Co.'s hiring manager/administrator in the form of a report.

Please click on the link (URL) below to begin:
http://www.skillsurvey.com/eRef/email.php?CID=FXY3sm1w5fONq3q2&S=1

Questions   regarding   eReference   can   be   directed   to customerservice@skillsurvey.com. For more information regarding SkillSurvey, please visit www.skillsurvey.com

Thank you,

Alpha Insurance Co.

FIG. 9

Mark Candidate is applying for a District Manager position with Alpha Insurance Co., and has provided your name as a reference (along with at least 6 others) who has insight into his/her skills. Mark has authorized us to send you an e-survey. Your confidential survey responses will be e-mailed directly to SkillSurvey, a third-party service bureau and a leader in Web-based reference surveys.

SkillSurvey's policy is to maintain strict confidentiality of responses. Under normal circumstances, neither Alpha Insurance Co. nor Alpha Insurance Co. will see your responses because SkillSurvey averages all responses together to produce the report. We will not produce a report without responses from at least three reference providers to ensure complete confidentiality of data.

The survey is very quick and easy (about two minutes to complete). Simply click on the best numerical response for each of the 16 questions.

Alpha Insurance Co. makes selection decisions based on a number of different criteria. The reference survey information, although important, is only one of the many factors considered.

Take the survey by clicking on the link (URL) below:
http://www.skillsurvey.com/eRef/survey.2.php?QID=RYGs1

Questions   regarding   eReference   can   be   directed   to customerservice@skillsurvey.com. For more information regarding SkillSurvey, please visit www.skillsurvey.com

Thank you for your time,

Alpha Insurance Co.

FIG. 10

eReference Report: Tim Connington
Management Position Survey
Report Date: October 23, 2003

Section One: Reference Information - Tim Connington

Submitted to Candidate on: October 22, 2003
References Submitted by Candidate: October 22, 2003
Number of References: 9
Number of Responses: 7

Name	Email	Company/ Organization	Type Of Reference	Worked as Candidate's	Dates	Completed Survey
Roger Brown	rbrown@companya.com	Company A	Business	Manager/ Supervisor	01/00 To 02/03	✓ 10/23/03
Changes:					02/00 To 02/03	
Ryan Holcom	rohclu36@aol.com	Company A	Business	Manager/ Supervisor	01/00 To 02/03	✓ 10/22/03
Dick Parker	dparker@companya.com	Company A	Business	Subordinate/ Direct Reports	06/00 To 02/03	✓ 10/22/03
John Doen	jdoen@companya.com	Company A	Business	Subordinate/ Direct Reports	08/00 To 02/03	✓ 10/22/03
Changes:				Peer/ Colleague		
Bertha McLaughlin	brnclaughin@companyb.com	Company B	Business	Subordinate/ Direct Reports	10/96 To 12/99	No
Stanley Keizerton	smanstan@yahoo.com	Company B	Business	Subordinate/ Direct Reports	10/96 To 12/99	✓ 10/22/03
Janet Kinder	jkinder@companyb.com	Company B	Business	Peer/ Colleague	09/98 To 12/99	No
Jack Brown	jbrown@companyc.com	Company C	Business	Client	01/94 To 6/98	✓ 10/23/03
Delia Byers	dbyers@companyc.com	Company C	Business	Subordinate/ Direct Reports	01/94 To 06/98	✓ 10/23/03

FIG. 11A

Section Two: Survey Scores - Tim Connington

The score for each competency was calculated by averaging the numerical responses and, based on research of probable reference responses, converting the average into a "very low" to a "very high" score. The following report displays the competencies and their scores grouped into themes (similar or related skills) to give you insight into the candidate's relative strengths in key performance areas. The scores with the lowest numerical averages are indicated using bold type and asterisks. This report is followed by comments gathered anonymously from the references regarding the candidate's strengths and areas where he/she "could improve"*

- **Very low or low score** - Candidate seen as not having skill in this competency. If it is critical to the job, his/her ability to be successful in the job may be seriously impacted.

- **Medium score** - Candidate is seen as having some skill in this competency. However, he/she is seen as needing more skill or experience to be effective.

- **High score** - Candidate is seen as skilled in the competency but has room for improvement.

- **Very High score** - A "very high" score is an endorsement of perceived mastery in the competency.

FIG. 11B

Report – [Tim Connington]				
Competencies	Ratings from References	Company Comp.	Industry Comp.	Overall Rating
Managing the Business				
1. Focus resources and energy on activities that will achieve the greatest results	Medium※	High	Medium	Medium
2. Show resourcefulness in getting results under new or undefined business conditions	High ※	Medium	Low	Medium
3. Continue to pursue goals despite problems and setbacks by demonstrating confidence, persistence and a sense of urgency	Medium	Medium	Medium	Medium
Managing the Business Average:	High	Medium	Medium	Medium
Managing People				
4. Seek commitment rather than passive acceptance to goals and priorities in working with others	High	High	Medium	High
5. Work with others to establish clear and realistic roles, responsibilities and goals as well as effective plans to reach goals	High	High	Medium	High
6. Value and accommodate diversity	High	High	High	High
7. Listen intently to fully understand the needs and perspectives of others	Medium※	High	Medium	Medium
8. Demonstrate a genuine commitment to helping other people improve their effectiveness and succeed (e.g. by fully sharing information, expertise and resources), rather than always serving his/her own needs	Medium	Medium	Medium	Medium
9. Give helpful and constructive (rather than negative or punishing) feedback on the performance of others	High ※	High	Medium	High
10. Recognize and praise others' efforts and accomplishments	Medium	Medium	Medium	Medium
Managing People Average:	High	High	Medium	High
Teamwork				
11. Focus on getting results for the business rather than on "turf" issues	Medium	High	Medium	Medium
12. Work to build strong networks with peer level managers, boss and all support areas	High ※	High	Medium	High
13. Encourage team members to develop strong positive relationships with each other	Medium※	High	Medium	Medium
Teamwork Average:	Medium	High	Medium	Medium
Leadership				
14. Show support for the organization, its values and its goals	High	High	Medium	High
15. Take personal responsibility for his/her actions and results, without blaming others or making excuses	Medium	Medium	Medium	Medium
16. Demonstrate high standards of personal integrity and credibility	High	High	Medium	High
Leadership Average:	High	High	Medium	High
Overall Average:	High	High	Medium	Medium

FIG. 11C

Comments on Tim Connington's "Strengths" and "Could Improve" areas

Strengths:

- "Achieving success quickly in new challenges."
- "Compassion, focus, caring, goal-oriented, strives to get the best out of each person, so they can reach their maximum potential."
- "Excellent business person. Honest and caring. Does what is promised. Very professional in all dealings. Has great respect in the community in civic and business matters."
- "Tim is the finest Manager I have ever had the privilege of working with. His strongest skill is the ability to bring a team together with a sense of cause and resolve."
- "Tim gets his strength from his ability to divide long term goals into achievable shorter term goals thus inspiring enthusiasm in team members."
- "Tim has the proven ability to consistently develop very successful business units."
- "Tim is the best manager I have ever met. I've been in business 20 plus years and I have counted on him not only to give me information on insurance, but to give me advice on managing. He is extremely good, especially in difficult situations."
- "Tim is very adept at helping producers recognize their natural markets, then assisting them with a marketing and goal setting plan."
- "Tim understands the market and the overall business we are in. He has great passion for what he does & is committed to achieving success at all cost. He is a very good General Sales Manager and is well respected by his peers in this business."

Could Improve:

- "Getting involved in issues with co-workers that are outside of business...trying to help people at work in problems that are not business related."
- "If I had to give one criticism of Tim, it would be that he gives people one more chance than I would. He so believes in his people, I think he takes it personally when they don't succeed."
- "In his ability to understand and accept that not everyone can work at his skill level."
- "Self confidence"
- "Should take more vacations. Works a great deal helping others."
- "Tim has so many strengths that they mask his weaknesses well. Tim could probably improve his ability to listen to others and make others feel their ideas have merit."
- "Tim is generous almost to a fault in personal relationships and should look to his own needs a little more."
- "Tim is such a strong agent advocate that, on occasion, he will persist with "minutia" in order to prove that his position was on target"

FIG. 11D

Behavioral Interview Questions

These questions focus on the candidate's lower scoring competencies (those where the numerical averages where lowest). Use them during future interviews to find out more about the candidate's skills, abilities and experience in these competencies. Click here to find out more about behavioral interviewing techniques.

Question 1. Focus resources and energy on activities that will achieve the greatest results.

Probing Questions:

Ask: Talk about a time when you had to work with limited resources. How did you maximize the effectiveness of the resources you had? How did you know what activities would get you the "biggest bang for the buck"?

Look for: Ability to look at the big picture, to set priorities accordingly, and to let that perspective drive allocation of resources. Ability to resist distraction when there are multiple tasks at hand.

_____

Question 2. Show resourcefulness in getting results under new or undefined business conditions.

Probing Questions:

Ask: How have you successfully managed situations where conditions or expectations were ambiguous, ill-defined, or otherwise difficult to perceive - whether it was because you were new to the situation, or because no one else knew what was going on either? How did you get the information you needed to proceed? What was most difficult about that kind of situation, and how specifically did you cope with it?

Look for: Resourcefulness in dealing with ambiguity or lack of definition. Adaptability and flexibility in the face of uncertainty. Self-confidence in one's abilities, combined with a willingness to learn.

_____

Question 7. Listen intently to fully understand the needs and perspectives of others.

Probing Questions:

Observe during interview: How well does the candidate listen to you? Does he/she consider what you are saying? Does he/she use body language, including eye contact, body position, etc. in a way that indicates engagement in the conversation?

Look for: Ability to focus attention on someone who is speaking to them. Ability to summarize another's point of view, and reflect it back. Willingness to yield "air time" to another.

_____

Question 9. Give helpful and constructive (rather than negative or punishing) feedback on the performance of others.

Probing Questions:

Ask: Describe a time when you helped a staff member or co-worker turn unsatisfactory or problem performance around, or brought to their attention a problem with the way they worked. How did you approach them, how did you address the problem, and how did the employee respond in terms of behavioral change?

FIG. 12A

Look for: Willingness to address performance issues head-on and in a timely manner. Ability to address others' shortcomings in a positive way, and encourage positive change. Understanding that when employees perceive they are being "criticized," it usually lowers their motivation and future performance, and weakens the relationship with the person giving the feedback.

Question 12. Work to build strong networks with peer level managers, boss, and all support areas.

Probing Questions:

Ask: How have you utilized your relationships with peers and colleagues in the company to further your area's goals? Tell me about a time when you were able to leverage the networks that you had built within your company to accomplish a particular task. What went into establishing those networks in the first place? What specifically did you do?

Look for: Ability to maintain and leverage peer-level relationships. Appreciation of the importance of establishing and maintaining internal networks. Understanding that this maintenance relies on: expectations that are clear to all parties; mutual commitment to common goals; constant attention to ensuring that the other person's needs are being met; and lots of ongoing communication and follow-through to maintain trust.

Question 13. Encourage team members to develop strong positive relationships with each other.

Probing Questions:

Ask: What have you done to bring your team members into closer and more effective relationships? What challenges have you had to overcome to make your team members work together smoothly?

Look for: Awareness of, and ability to deal with, interpersonal relationships within teams, while not getting distracted from business goals by "soap operas." Understanding that strong, successful teams that are characterized by trust and cooperation rather than conflict and jealousy get consistently superior business results. Realization that fostering competition between team members, while sometimes attractive to a manager, has many downsides, and competition can degenerate into backstabbing and conflict.

FIG. 12B

Coaching Tactics

Question 1. Focus resources and energy on activities that will achieve the greatest results.

Coaching Tactics
Coach the new manager to do the following:

- To ensure that all decisions, plans and activities are on target and will achieve the greatest results, first define the outcome you are working towards - the results you will get by completing the task or dealing with a problem.
- When fixing problems or working on tasks, always ask yourself and your staff: "What is the outcome expected from this?"
- Keep larger, longer-term business outcomes (e.g., better service, cost control) in mind as "touchstones" for all your activities.
- Be sure that your short-term outcomes support longer-term directions. When you define short-term outcomes, ask: "What larger outcome is this supporting and actively moving me towards the accomplishment of?" If the answer isn't clear, you may need to reassess what you are doing.

Question 2. Show resourcefulness in getting results under new or undefined business conditions.

Coaching Tactics
Coach the new manager to do the following:

- Understand that change and uncertainty are becoming more and more the norm in today's business environment.
- Focus on the positive aspects of new or poorly defined situations - the potential for growth and development, the opportunity to help shape the new conditions, etc.
- Analyze what one does know about the situation, identify the knowledge or skills that are yet needed, and locate the sources of such knowledge/skills.
- Include staff as active participants in the discussions on change, particularly on how to prepare. If they feel that they are prepared, they will embrace change more readily.
- Be proactive in getting advice or perspectives from others; sometimes others can provide information or insights that one cannot see for oneself.

Question 7. Listen intently to fully understand the needs and perspectives of others.

Coaching Tactics

- The best coaching in communications skills is to teach by example. Listen to others; don't just provide information or responses. Give the other party "air time." Show that you're interested. Summarize, clarify or empathize as appropriate. Maintain eye contact and speak slowly and naturally. Put warmth in your voice.
- After an interaction that you have both witnessed or participated in, point out to the new manager/supervisor examples of others listening well or poorly.
- Help the new manager become more sensitive and perceptive about body language and facial expressions, and how to read what others are "saying behind their words." It is easy to be misinterpreted regarding this practice, but it is also easy to correct misperceptions with a little feedback and coaching.

FIG. 13A

Question 9. Give helpful and constructive (rather than negative or punishing) feedback on the performance of others.

Coaching Tactics

For feedback to be helpful, it needs to be clear and have the staff member's buy-in. If it is perceived as unhelpful, it is less likely the staff member will act on the feedback and more likely he/she will try to avoid getting feedback in the future. To make feedback feel helpful, a manager should:

- Start any discussion by stating a helpful outcome - e.g., "I want to give you some feedback on your approach so you can continue to improve and become the best sales person we have." An outcome the person can buy into will make them want to listen carefully to the feedback.
- Focus the feedback on future results, rather than critiquing the past. Even though it is their recent performance that is prompting the feedback, it gives it a better context to phrase it in the future – e.g., "The next time you approach a similar situation, you should..." This avoids "you did this"/"no I didn't" discussions.
- Make sure staff members can take specific actions in response to the advice. Timing is important. The best time to have the discussion is just before they are going to engage in the same situation or task again. However, it should be delivered in a timely fashion, not dumped on the staff member a year later.
- Give positive feedback too! Managers see their job as "correcting" wrong performance. So, given the time constraints of a busy job, they tend to give corrective feedback. But constant corrective feedback can be seen as "attacking," and most people either shut down and not listen or get angry when attacked.
- Make sure that feedback is based on criteria that are clear, well-understood, and previously agreed-on. Getting agreement on the criteria for measurement during feedback will not work!

Question 12. Work to build strong networks with peer level managers, boss, and all support areas.

Coaching Tactics

Coach the new manager to do the following:

- Focus on shared outcomes. Have regular discussions with one's partner(s) on the issues or pressures in his/her business so you know what is important to him/her. Do not start discussions by focusing on where you disagree, problems you are having, or what you want from your partner, but by focusing on outcomes - what you both are trying to achieve by working together on an issue. Emphasize how that connects with your customer's needs.
- Don't come into discussions with partners with a predetermined idea of what would be the best answer, but allow answers to come out of mutual discussion.
- Be proactive in finding out what one's partners need.
- Be clear and specific in laying out mutual expectations with partners.
- See your partners as a part of your business "family." Once you have established shared outcomes, actively look for ways to support your partners. Part of your job is spending time helping your valuable partners. It will help you achieve your results.
- Care about what your partner is saying rather than just waiting for your turn to speak. Listening and responding sends the message that you are engaged in a dialogue, not a debate. In discussions, validate your partner's input, let him/her know he/she has a good point and add to its content, as opposed to always finding the "flaw" in what he/she said.

Question 13. Encourage team members to develop strong positive relationships with each other.

Coaching Tactics

FIG. 13B

- If the manager makes the decisions for the team (work group), calls all the meetings, does all the coaching and mentoring, and gives the support needed, then the team has no reason to work with each other. Given the time constraints on a manager and the need for synergy to stretch limited resources, having staff members work as a team is necessary. Therefore, it is important for a manager to step away from filling pivotal roles for every direct report. To do this, the new manager should be encouraged to:
- Set the expectation with the team that everyone will share the responsibility for the performance of the team and will work to support each other.
- Occasionally delegate the role as leader and mentor to others on the team - choosing staff members that can handle meetings or work with another staff member as a resource on a task, and asking them to step in.
- Ensure that the team discusses and develops some common goals. Sharing common goals that everyone cares about and wants to meet is often the most powerful "glue" that a team can have.
- The manager should set the expectation that sharing is a positive behavior and a part of the job, and be specific with examples that would result in better performance.
- Encourage the new manager to reward sharing behavior when he/she sees it. Even a simple "Good job, you worked well together on this" can be powerful.
- Look for team rewards. It can be hard on teamwork if every reward is for individual contribution. Add team rewards even if they are not monetary. Find something that works within one's situation - e.g., dress-down days, shared pastries, or rotating "late days" where they cover for each other. Ask the team what they would like to make sure it is valued.
- The new manager should be sure to have regular team-building activities, and make sure that meetings are held only when needed. Always have "strengthening the team" or "making the team more effective" as one of the topics.

FIG. 13C

Report – [Candidate Comparison] Job Description – [Project Manager]			
Competencies	Candidate #1	Candidate #2	Candidate #3
OVERALL SUMMARY	High	High	Medium
Managing the Business			
1. Focus resources and energy on activities that will achieve the greatest results	Medium *	High	Medium
2. Show resourcefulness in getting results under new or undefined business conditions	High	Medium *	Low *
3. Continue to pursue goals despite problems and setbacks by demonstrating confidence, persistence and a sense of urgency	Medium *	Medium *	Medium *
Managing the Business Average:	High	Medium	Medium
Managing People			
4. Seek commitment rather than passive acceptance to goals and priorities in working with others	High	High	Medium *
5. Work with others to establish clear and realistic roles, responsibilities and goals as well as effective plans to reach goals	High	High	Medium
6. Value and accommodate diversity	High	High	High
7. Listen intently to fully understand the needs and perspectives of others	Medium *	High	Medium
8. Demonstrate a genuine commitment to helping other people improve their effectiveness and succeed (e.g. by fully sharing information, expertise and resources), rather than always serving his/her own needs	Medium	Medium *	Medium
9. Give helpful and constructive (rather than negative or punishing) feedback on the performance of others	High	High	Medium
10. Recognize and praise others' efforts and accomplishments	Medium	Medium *	Medium
Managing People Average:	High	High	Medium
Teamwork			
11. Focus on getting results for the business rather than on "turf" issues	Medium *	High	Medium
12. Work to build strong networks with peer level managers, boss and all support areas	High	High	Medium
13. Encourage team members to develop strong positive relationships with each other	Medium	High	Medium
Teamwork Average:	Medium	High	Medium
Leadership			
14. Show support for the organization, its values and its goals	High	High	Medium
15. Take personal responsibility for his/her actions and results, without blaming others or making excuses	Medium *	Medium *	Medium *
16. Demonstrate high standards of personal integrity and credibility	High	High	Medium *
Leadership Average:	High	High	Medium

* is the first 1/3 of lowest scores

FIG. 14

eReference Vendor Report

Report

**Competencies Ratings
From References**

Establishing Effective Business Relationships

1.
Works to achieve a thorough understanding of the client's organization and business (strategy, structure, products/services, etc.)
                              Medium

2.
Does a thorough fact-find up front to determine client's situation, needs, and requirements.
                              Low *

3.
Establishes a clear understanding and mutual expectations with the client about how to work together effectively (roles, responsibilities, timing, deliverables, etc.).
                              Medium

4.
Uses the client's language, not their own jargon.
                              Medium

5.
Handles client questions, concerns, and objections in a positive and helpful way without bypassing or glossing over concerns.
                              Medium

6.
Clearly explains the features, benefits, and advantages of their products and services, specifically relating them to client needs.
                              High

7.
Clearly, truthfully, and fully explains the pricing and relevant terms and conditions pertaining to the purchase and use of the vendors products/services.
                              Medium

8.
Recommends the best solution for the client company based on client needs.
                              Medium

9.
Keeps bureaucracy, red tape and other inefficient time-wasters to a minimum in contracts, billing and all other dealings with client company.
                              Medium

10.
Puts top-notch people on client account -- knowledgeable, effective, responsive, courteous and supportive, etc.
                              Low

            Establishing Effective Business Relationships Average: Medium

Delivering the Promise

11.
Responds to the client's need for information, clarity or decisions in a timely and effective way, demonstrating a sense of urgency and commitment to help.
                              High

FIG. 15A

12.
Operates in an open, honest and ethical manner at all times with the client company.
Medium

13.
Gives the client sufficient assistance in terms of resources, time, expertise, knowledge, etc. to fully serve client's needs and solve their problems.
Low

14.
Keeps client updated and "in the loop" on status of deliverables, requests, questions, and work being done (when, how, and by whom).
High

15.
Does "whatever it takes" to ensure that the client is delighted with the vendor's products and services at all times
Medium

16.
Fully delivers on all commitments made to client – quality of product /service, price, timing, etc.
Medium

Delivering the Promise Average: Medium

Maintaining & Strengthening the Relationship

17.
Is flexible in adapting to changes required by the client.
Low *

18.
Makes a quick recovery when mistakes are made.
High

19.
Makes it easy for clients to communicate with the right person/department to address problems or questions.
High

20.
Accepts full responsibility for all actions and results, dealing with feedback or criticism in a positive, non-defensive and non-confrontational way.
Medium

Maintaining & Strengthening the Relationships Average: Medium

Overall Average: Medium

FIG. 15B

Report – [360 Survey Success Report]		
Competencies	Raw Score	Rating
Managing the Business		
3. Continue to pursue goals despite problems and setbacks by demonstrating confidence, persistence and a sense of urgency	4.7	Very High
2. Show resourcefulness in getting results under new or undefined business conditions	3.0	Medium
1. Focus resources and energy on activities that will achieve the greatest results	2.5	Medium
Managing the Business Average:	3.40	Medium
Managing People		
8. Demonstrate a genuine commitment to helping other people improve their effectiveness and succeed (e.g. by fully sharing information, expertise and resources), rather than always serving his/her own needs	4.9	Very High
4. Seek commitment rather than passive acceptance to goals and priorities in working with others	4.7	Very High
5. Work with others to establish clear and realistic roles, responsibilities and goals as well as effective plans to reach goals	4.5	Very High
9. Give helpful and constructive (rather than negative or punishing) feedback on the performance of others	4.3	High
6. Value and accommodate diversity	4.2	High
10. Recognize and praise others' efforts and accomplishments	4.1	High
7. Listen intently to fully understand the needs and perspectives of others	4.0	High
Managing People Average:	4.38	High
Teamwork		
11. Focus on getting results for the business rather than on "turf" issues	4.8	Very High
13. Encourage team members to develop strong positive relationships with each other	4.7	Very High
12. Work to build strong networks with peer level managers, boss and all support areas	4.5	Very High
Teamwork Average:	4.66	Very High
Leadership		
16. Demonstrate high standards of personal integrity and credibility	5.0	Very High
14. Show support for the organization, its values and its goals	4.8	Very High
15. Take personal responsibility for his/her actions and results, without blaming others or making excuses	4.6	Very High
Leadership Average:	4.8	Very High
Overall Average:	4.31	High

FIG. 16

US 8,894,416 B1

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SYSTEM AND METHOD FOR EVALUATING JOB CANDIDATES

CROSS REFERENCE TO RELATED APPLICATIONS

This application is a continuation of U.S. patent application Ser. No. 14/275,633, filed on May 12, 2014, which is a continuation of U.S. Pat. No. 8,721,340, issued on May 13, 2014, which is a continuation of U.S. patent application Ser. No. 10/912,433, filed on Aug. 4, 2004, which claims priority to U.S. Provisional Patent Application No. 60/492,457, filed on Aug. 4, 2003, which are incorporated herein by reference.

FIELD OF THE INVENTION

This invention relates to human resource management system, and more particularly to a system for collecting and analyzing information from references identified by job candidates.

BACKGROUND OF THE INVENTION

It has been estimated that errors in hiring cost companies more than 50 billion dollars per year in lost revenue, decreased productivity, squandered training expenses, legal liabilities, high turnover and other undesirable consequences. The result, in spite of the dramatic increase in the use of background checks and psychological profiles by many organizations, and the universality of selection interviews, is that annual turnover in U.S. companies of over 5,000 employees continues to be 25%. According to experts in the field, nearly 80% of turnover is caused by poor selection decisions.

Therefore, background checks have become even more important than in the past. One part of the background check, and more generally the hiring process, is the gathering of information from references, that is those individuals identified by a job candidate as being knowledgeable about the candidate's character and qualifications.

Unfortunately, traditional reference checking methods such as telephone interviews are very costly and time-consuming, require extensive training for interviewers and generally do not yield useful information due to lack of precision, lack of confidentiality and possible errors of filtering, amplification and interpretations by the intermediaries. Most important, perhaps, is the fact that in today's litigious society, business and professional reference givers are usually unwilling to provide more than basic information such as employment dates and positions held. Such information has little value in helping companies make effective hiring decisions.

Another problem with the conventional reference checking is that it's done very late in the hiring process, which is typically done after the candidate is hired. Ideally, it should be done during the screening and selection process. Moreover, the conventional background checking provides no guidance for the hiring manager to further explore areas of weakness in the candidate during the hiring process.

Therefore, it would be desirable to provide a more effective and inexpensive system and method for collecting and evaluating information provided by reference providers for job candidates. It would be also desirable to provide such a system that is substantially automated and that is used early in the hiring process.

SUMMARY OF THE DISCLOSURE

A system for collecting and analyzing survey data from reference providers identified by a job candidate for use by an employer is provided. The system includes a candidate database that stores survey data which are provided by the reference providers. A collection module running in the system sends an electronic communication to the reference providers requesting them to complete the survey questions and electronically receives the survey data. The electronic communication preferably contains a URL link that takes the reference provider to a dynamically generated webpage through which the survey data are entered.

An analysis module running in the system combines the received survey data from the reference providers and generates a candidate report. In one aspect, the candidate report is a confidential report which excludes identification of any ratings or comments by any reference providers. In another aspect, the system also generates customized interview probe questions for use during job interviews and coaching tactics for use after the hiring, based on the weak areas that have been identified from the completed surveys in order to assist the hiring manager to bring the new hires up to speed quickly and effectively.

The human resource system provides substantially automated collection and analysis which is inexpensive and yet accurate and useful.

BRIEF DESCRIPTION OF THE DRAWINGS

FIG. 1 is a block diagram of a job candidate evaluation system according to the present invention.

FIG. 2 is a simplified process flow of a candidate evaluation process according to the present invention.

FIG. 3 illustrates a detailed process flow of a purchase and set-up step of FIG. 2.

FIG. 4 illustrates a detailed process flow of a candidate and reference identification step of FIG. 2.

FIG. 5 illustrates a detailed process flow of a collection step of FIG. 2.

FIG. 6 illustrates a detailed process flow of an analysis step of FIG. 2.

FIG. 7 illustrates a detailed process flow of a continuous update step of FIG. 2.

FIGS. 8A and 8B illustrate a sample survey form.

FIG. 9 is a sample email sent to a job candidate.

FIG. 10 is a sample email sent to each reference identified by the job candidate.

FIGS. 11A-11D illustrate a sample candidate report for use by a hiring manager.

FIGS. 12A-12B illustrate a sample set of interview questions for use by the hiring manager in a subsequent interview with the job candidate.

FIGS. 13A-13C illustrate a sample set of coaching tactics for use by the hiring manager after the job candidate is hired.

FIG. 14 illustrates a group report which ranks multiple job candidates.

FIGS. 15A and 15B illustrate a sample vendor report that evaluates vendors supplying goods and services to a company.

FIG. 16 illustrates a sample report that shows the correlation between survey questions/competencies and performance of hired candidates.

DETAILED DESCRIPTION OF THE INVENTION

As an overview, the present invention uses a computer network such as the Internet and the resources of the network including emails and webpages to set up initial survey questions, send out emails to references identified by job candidates, collect confidential competency-based survey informa-

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tion via webpages from the identified references, analyze the collected information and generate candidate reports for use by a hiring manager. The system has integrated the screening and selection process with a competency based survey database that allows the comparative review of reference information against one or more candidates, the company's own employees, the industry or other normalized database by job type, organization or company competency.

Referring now to FIG. 1, a job candidate evaluation system 1 of the present invention involves a number of computers 10, 15 that are connected to each other through a computer network such as the Internet. The computers 10, 15 of the system 1 cooperate with each other to provide comprehensive collection and analysis of reference information that are made through the network 2. Computers 15 are similar to the computer 10, with the exception of some of the databases and software modules.

As illustrated in FIG. 1, the computer 10 is connected to the Internet 2 through, for example, an I1O interface 12, such as for a LAN, WAN, or fiber optic, wireless or cable link, which receives information from and sends information to other computers 15. The computer 10 is also connected to a keyboard 14 for controlling the computer.

The computer 10 includes, for example, memory storage 16, processor (CPU) 18, program storage 20, and data storage 22, all commonly connected to each other through a bus 24. The program storage 20 stores, among others, software programs such as set-up module 26, collection module 28, and analysis module 30 as will be explained in detail later herein. The data storage 22 stores, among others, candidate database 34, benchmark database 36 and survey database 318, all preferably stored in a relational database that relates all of the databases stored in the data storage. Any of the software program modules in the program storage 20 and data from the data storage 22 are transferred to the memory 32 as needed and is executed by the processor 18.

The computer 10 can be any computer such as a WINDOWS-based or UNIX-based personal computer, server, workstation or a mainframe, or a combination thereof. While the computer 10 is illustrated as a single computer unit for purposes of clarity, persons of ordinary skill in the art will appreciate that the system may comprise a group of computers which can be scaled depending on the processing load and database size and which can be remotely located to provide localized non-stop service.

FIG. 2 illustrates a high level process flow of the evaluation process according to the present invention. In step 42, a client company sets up an order for a job candidate or multiple candidates, and prepares one or more surveys for use in the hiring process as will be explained in detail with reference to FIG. 3. This step is executed by the set-up module 26. In the same step, the order for the job candidates is done by purchasing a certain number of candidate reports and specifying the purchase information. Purchase of one report provides unlimited generation of reports for each job candidate until the time of hire or rejection.

In step 44, the hiring manager identifies a job candidate and receives information about the references or reference providers that are identified by the job candidate, which include an email address for each reference as will be explained in more detail with reference to FIG. 4. A reference provider should be someone who has worked extensively with the job candidate in the past which include customers, supervisors, and peers. Step 44 is executed by the collection module 28.

In step 46, which is also executed by the collection module 28, the system 1 sends emails to all of the references that were identified by the job candidate. The email requests each ref-

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erence to fill out the survey prepared by the hiring manager. The survey information is then collected from the identified references through web pages and stored in the survey database 38. Step 46 is more fully explained with reference to FIG. 5.

In step 48, executed by the analysis module 30, the system 1 analyzes the collected information and generates a report that includes the overall assessment of the candidate's competency in each of the several competency areas and includes any comments supplied by the references. Competency is a well known concept that represents a particular characteristic of an individual or organization performing a task, function or project at a particular point in time that leads to successful performance. The report can be a final report with all surveys completed by the references, or it can be a real time interim report with analysis of partially completed survey information which can be requested by the hiring manager at any time. Based on the analysis, the system 1 also generates "interview probes" for those areas where the candidate did not score as highly as others, a sample of which is shown in FIGS. 12A-12B. The probes guide an interviewer to obtain more information about the candidate's level of accomplishments or experience with regard to specific lower scoring competencies. The report may also include coaching tactics to manage and develop the candidate assuming the candidate is hired, a sample of which is shown in FIGS. 13A-13C. Like the interview probes, the coaching tactics are also based on analysis of those areas where the candidate did not score as highly as others. The coaching tactics are suggested "microbehaviors" that the hiring manager can use to help the candidate to develop his strengths in lower-scoring competencies. Step 48 is more fully explained with reference to FIG. 6.

In step 50, the system 1 continuously monitors the job candidates after the hiring process. The system tracks the progress of the hired candidates and collects additional data such as performance levels of the hired candidates. The additional data for all the candidates are then analyzed to generate additional reports containing the correlation between various competencies and high retention/performance. The reports are preferably graphical in nature and graphically illustrate the competencies that are most closely correlated with the high retention/performance of the candidates. The reports can also be customized by a user to specify whether the correlation is based on position-specific, company-wide or industry-wide benchmarks as will be explained in detail with reference to FIG. 7.

FIG. 3 illustrates a detailed process flow of the purchase and set-up step 42 of FIG. 2.

In step 52, a client company uses an Internet enabled computer 15 to access web pages of the system 1 through the Internet 2. The web pages are generated by a conventional database web page generating engine such as PHP (Hypertext Preprocessor) in conjunction with a relational database program stored in the program storage 20 and the web engine is executed by the processor 18. The Internet enabled computer 15 is equipped with a web browser capable of handling forms.

In step 54, order information such as the client company's address and contact information of various hiring managers working for the client company are filled out in the web page form that was generated by the computer 10. In step 56, purchase information such as the number of reports purchased and credit card data are also entered through the web page. The data entered by the client company are stored in the data storage 22. In step 58, the credit card information provided by the client company is verified and in step 60 a client record is created in a client database in the storage 22 with the contact and purchase information. The client record includes

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an allocation of reports to specific hiring managers and the user id and password for each hiring manager. In step **62**, the computer **10** generates a confirmation message confirming the number of reports purchased and the set-up of the client company in the system **1**.

As can be appreciated by persons of ordinary skill in the art, the above steps **52-62** are optional and can be omitted by using a billing arrangement where the client company is billed on a periodic basis for the candidate evaluation services that have been rendered.

FIG. 4 illustrates a detailed process flow of the candidate and reference identification step **44** of FIG. 2. When a hiring manager needs to fill a particular position, the manager accesses the computer **10** through a web browser. In step **66**, the hiring manager designates a survey that is to be used for that position. The manager can choose from a set of pre-designed or pre-selected surveys stored in the data storage **22**, design his own by selecting survey questions from an existing set of questions stored in the data storage, create his own set of questions, or modify an existing survey. The questions are stored in a master table in data storage **22**. Each survey also has a corresponding record in the database, which points to the questions in the master table that are included for that survey. Each survey question relates to a specific job-related and validated competency, selected from a bank of competencies that have been derived, tested and validated from experience and research.

FIGS. 8A-8B illustrate a sample survey that is used for a management position. The survey of FIG. 8A contains 16 questions that relate to various competencies that are known to be important for a management position. For example, the first three questions relate to a competency known as "Managing the Business". Each of the 16 questions requires the reference to select a value of "1" through "7" by clicking on an appropriate radio button. The survey also contains two comment boxes as shown in FIG. 8B. It includes one for describing the candidate's strengths and one for describing the candidate's weaknesses.

Once a particular survey is selected or created, the hiring manager enters the job candidates' information in step **68** through the computer **15** and sets the required minimum number of references that must be provided by each job candidate. The entered information is stored by the computer **10** in the candidate database **34** of the data storage **22**. In step **68**, the computer **10** also generates a unique 16 character alphanumeric identifier for that job candidate which is also stored in the candidate database **34**. The alphanumeric identifiers are used for security purposes since they ensure that only known and authorized job candidates can enter or access the information in the system **1**.

In step **70**, the computer dynamically generates a web page asking whether the reference information will be provided by the job candidate. If the hiring manager answers yes, the computer **10** in step **72** generates and send an email message to the job candidate with a URL link to a dynamically generated web page and requesting the job candidate to click on the link to provide information on the references he chooses. A sample email to a job candidate is shown in FIG. 9.

In step **74**, the job candidate receives the email and accesses the web page generated by the computer **10** by clicking on the link provided in the email. In response, the computer transmits through the Internet **2** a sample of the survey questions for display on the candidate's computer **15** along with a dynamically generated web page form to provide information on the references. The sample survey questions assist the candidate in determining which individuals would be appropriate references. In step **76**, the job candidate enters

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via the web page form the names, email addresses and relationship of the references. The relationship field only allows "Business" or "Professional" as "Personal" references tend to give scores that are severely skewed towards the positive, and may not have specific knowledge about the job-related competencies of the candidate. The candidate also indicates the dates and location of the relevant employment. The candidate then submits the form to the computer **10**.

The collection module **28** of the system **10** then verifies that each email address is in a valid format and that there are no duplications. As part of the validity check, the collection module **28** checks the domain portion of each email address against the registered location using industry standard databases (WHOIS) to provide the hiring manager additional information if needed. Once the candidate is determined to have submitted a valid list, the computer **10** stores the data on references in the candidate database **34**.

If the answer to step **70** is no, however, then the hiring manager already has the information of references. That information is entered by the hiring manager in step **78**. The same type of data checking that are performed in step **76** is also performed in step **78** to ensure that no errors are made.

FIG. 5 illustrates a detailed process flow of the collection step of FIG. 2. In step **80**, the computer **10** generates a unique identifier for each reference and send an email message to each reference explaining the purpose of the email and directing the reference to click on a URL link to a dynamically generated web page. The unique identifier is generally used internally to uniquely identify the reference within the system **1**. A sample email to each reference is shown in FIG. 10. The sample email contains a statement that the operator of the system **1** will maintain strict confidentiality of responses provided by the references and that their responses will be aggregated and analyzed so that all of the information generated in a report for the hiring manager will be confidential. This statement is important because it encourages the references to provide more honest responses.

In step **82**, the email is received by the computer **15** of the reference. In step **84**, the reference accesses the web page generated by the computer **10** by clicking on the link provided in the email. In response, the computer transmits through the Internet **2** a dynamically generated web page form for display on the reference's computer **15** along with instructions on how to properly complete the form, a sample of which is shown in FIGS. 8A-8B.

In step **86**, the reference enters via the web page form answers to the questions in the survey. For each question, the reference indicates the level of competency possessed by the job candidate using a seven-point scale. The reference is also shown the employment information submitted by the job candidate and is asked to confirm whether the information is accurate. The reference then submits the completed form to the computer **10** in step **88**.

In step **90**, the collection module **28** of the system **10** stores the survey data in the survey database **38**. In step **92**, the collection module **28** determines whether there is a sufficient number of completed surveys to provide a meaningful report to the hiring manager. For example, in one case that requires seven references, four references might be considered to provide a meaningful report. If no, then the collection module **28** waits for additional surveys to be completed. If yes, however, step **94** is executed.

Alternatively, the hiring manager has three additional options at this stage. The first option is to override the minimum number of completed surveys and to request an interim candidate report reports regardless. A second option is to set a predetermined time period from the job candidate identifies

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the references and checking to see whether the predetermined time period has passed. If it has, then step **94** is executed. The third option is to simply allow the hiring manger to close the job candidate's record. That option may be convenient in situations such as the job candidate voluntarily withdrawing from the job opening.

In step **94**, an email to the hiring manager is generated to let him know that at least an interim report is available, which email is received by him in step **98**. In step **96**, reminder emails are sent to those references that have not provided the survey data within a predetermined time period.

FIG. 6 illustrates a detailed process flow of the analysis step of FIG. 2. In step **100**, the hiring manager accesses the web page generated by the computer **10** by either clicking on the link provided in the email or logging on to the website of the computer **10** independent of the email. At this stage, the analysis module **30** displays a "dashboard" for the current status of the job opening. The status includes the state of each candidate's progress for the completion of the reference information. In step **102**, a request for report on a particular candidate is made.

In response, the analysis module **30** in step **104** analyzes the received survey data stored in the survey database **38** and generates a candidate report. A sample report is shown in FIGS. **11A-11D**.

As can be seen in FIG. **11A**, the report includes a list of references, email addresses, identification of company and relation to the job candidate, dates worked by the candidate and whether the survey was completed. The report also notes any changes or discrepancies between the information provided by the candidate and the reference. For example, reference named "Roger Brown" reported that the dates worked by the candidate of "02/00 To 02/03" is different from "01/00 To 02/03". FIG. **11B** explains the score for each competency in FIG. **11C** which is based on benchmark scores that are stored in the benchmark database **36**. The benchmark scores represent competencies that are stored on an industry-wide basis, company-wide basis or company-specific job position type basis.

As seen in FIG. **11C**, scores for each question are averaged and converted to "very low" to a "very high" score. The scores to questions that are related to the same competency are averaged into the same "very low" to a "very high" score. For example, the average scores for questions 1-3 have been converted to a "Medium", "High" and "Medium", respectively. Also, the three questions are grouped into the competency of "Managing the business" and the average scores for each of questions 1-3 are averages and converted to the score of "Medium".

One third of the questions where the candidate has received the lowest raw numerical averages are weak areas the analysis module has identified and are indicated using asterisks which are used as the basis for generating interview probe questions and coaching tactics as discussed below in step **106**. Alternatively, the weak areas are identified by comparing an averaged score for each question against a benchmark score from the benchmark database **36** and those scores that fall below the benchmark score by a predetermined amount are identified as the weak areas and are indicated as such using asterisks.

To further make the report useful, it may contain three additional columns: Company Comparison, Industry Comparison and Overall Rating. The Company Comparison and Industry Comparison correspond to the benchmark scores on company-wide job type basis, and industry-wide job type basis. The Overall Rating is derived from taking the average of the raw scores from each normalized database for that job type for the company, industry or other organization and the

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average of responses from the candidate's reference providers. This score is converted to a verbal descriptor from very-low to very-high based on lookup table for that value. For example a 4.2-5.9 inclusive, could return a "High", each descriptor range can be set based on selection standards.

As shown in FIG. **11C**, questions 3, 8, 11 and 16 are highlighted using a rectangular box. The highlighted questions mean that those questions are most closely associated with high performance and retention of job candidates that have been hired which are based on a statistical analysis of performance data of the hired candidates as will be explained in detail with reference to FIG. **7**.

The report also contains an overall average score ("High" in FIG. **11C**) which is an average of scores from all the references for all of the questions. Alternatively, the analysis module **30** can use the correlation data from the continuous update step **50** of FIG. **2** and generate an overall score on a weighted scale in which the weight used for each question or competency is based on the correlation to the performance data with higher weight being used for higher correlation.

FIG. **11D** contains the "Strengths" and "Could Improve" comments provided by the references. It is important to note that the candidate report maintains strict confidentiality of responses provided by the references. In other words, the candidate report decouples the reference individuals from the responses the reference individuals provide so as to provide anonymity of the reference individuals from the hiring company/hiring manager. This is important as it encourages the references to provide more candid responses.

FIG. **14** illustrates a group report which ranks multiple candidates. For each candidate, the group report includes averaged scores for each question, averaged score for each competency, and an overall summary score. The group report also includes questions 3, 8 and 16 which are highlighted using a rectangular box. The highlighted questions mean that those questions are most closely associated with high performance and retention of job candidates that have been hired which are based on a statistical analysis of performance data of the hired candidates.

In step **106**, the hiring manager, after reviewing the report, determines whether to continue with the hiring process for the candidate. If the answer is no, then the analysis step **48** ends at step **111**. If the answer is yes, the analysis step **48** continues with step **108**. In step **108**, the analysis module generates interview questions (see FIGS. **12A-12B**) based on the identified weak areas in the report. Specifically, the interview questions are associated with the questions in the survey and are stored in the data storage **22**. For each weak area, the analysis module retrieves those interview questions that are associated with the questions that correspond to the weak areas.

For example, the report in FIG. **11C** has identified questions 1, 2, 7, 9, 12 and 13 as the weak areas. For those questions, the analysis module **30** retrieves associated interview questions from the data storage **22** as shown in FIGS. **12A-12B**.

In step **110**, the hiring manager, after having interviewed the candidate, determines whether to hire the candidate. If the decision is no, then the analysis step **48** ends. If the decision is a yes, then the analysis module in step **112** generates coaching suggestions that allow the employer to improve the identified weak areas after the candidate is hired. Like the interview questions, the coaching suggestions are associated with the questions in the survey and are stored in the data storage **22**. For each weak area, the analysis module **30**

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retrieves those coaching suggestions that are associated with the questions that correspond to the weak areas as shown in FIGS. **13A-13C**.

It is important to note that the steps of survey collection **46** and analysis **48** can be used in an iterative process to screen out job candidates. For example, a hiring manager might use a simple survey containing 4 questions against 100 job candidates to narrow the list down to 10 candidates, then design a new survey containing 16 questions to narrow the 10 candidates down to 3 candidates, and then design another survey containing 20 questions to select one candidate for hire. Accordingly, the present invention can be used to both as a screening tool and a selection tool.

FIG. **7** illustrates a detailed process flow of the continuous update step of FIG. **2** which is also part of the analysis module **30**. In step **120**, the computer **10** waits for a predetermined time period after the final candidate report was generated. In the embodiment shown, the predetermined time period is one month. In step **122**, the computer **10** prepares and sends an email to the hiring manager with a URL link to a dynamically generated web page. The web page asks whether a particular job candidate is hired. Alternatively, the email may include two links asking the hiring manager to click on one link if the candidate was hired and to click on the other link is the candidate was not hired.

In step **124**, the computer **10** receives the response of the hiring manager and determines whether the job candidate was hired. If no, then that fact is noted and stored in the candidate database **34** in step **126** for later analysis and reporting. If the candidate was hired, then control passes to step **128**. At step **128**, the computer **10** waits for a predetermined time period after the final candidate report was generated. In the embodiment shown, the predetermined time period is one year from the final report. In step **130**, the computer **10** prepares and sends an email to the hiring manager with a URL link to a dynamically generated survey web page. The survey web page asks retention and performance information. In the embodiment shown, the survey web page asks two questions: (1) is the candidate still employed; and (2) how well the candidate has performed based on a survey containing multiple questions or based on a single question on a predefined scale, e.g., scale of 1-10. In step **126**, the response to the two questions from the hiring manager are stored in the candidate database **34** for later analysis and reporting.

In step **132**, the analysis module **30** analyzes the hiring data stored in the candidate database **34**. Specifically, the retention and performance data are statistically correlated with the various scores received by that candidate in the surveys to identify the questions where high ratings are most closely associated with high performance and retention. The correlation can be calculated on an industry-wide position type basis, on a company-wide basis without regard to the position type or on a company-wide position type basis. Thus, when the candidate reports such as shown in FIG. **11C** are generated, the questions where high ratings are most closely associated with high performance and retention are graphically indicated based on the latest data accumulated up to that point.

FIG. **16** illustrates a sample report that shows the correlation between survey questions/competencies and performance of hired candidates. As shown, the report includes raw correlation scores and corresponding ratings. For example, question **3** has a raw score of 4.7 and a "Very High" rating.

These reports can be used by the hiring manager to continuously improve the survey. For example, the hiring manager can choose to delete the two questions that have the lowest correlation to the performance data and add two new questions from the competency area that has the highest cor-

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relation to the performance data. In the example shown, the two lowest scoring questions are questions 1 and 2, and the competency area having the highest score of 4.66 is "Teamwork".

Once step **132** is executed, control passes to step **128** where the computer waits a programmable amount of time usually 6 to 15 months to repeat the steps **130** to **132** to continuously monitor the performance of the job candidates that have been hired in order to continuously improve the survey questions and competency categories.

Application of the principles of the present invention are many. For example, principles of the survey selection, collection of responses and analysis of the responses can be used to evaluate a large number of vendors who supply products and services to a company through a group of buyers working for the company. The buyers for the company are acting as "reference providers". A sample vendor report as shown in FIGS. **15A-15B** can be used to better manage the large number of vendors.

The foregoing specific embodiments represent just some of the ways of practicing the present invention. Many other embodiments are possible within the spirit of the invention. Accordingly, the scope of the invention is not limited to the foregoing specification, but instead is given by the appended claims along with their full range of equivalents.

What is claimed is:

1. A computer-implemented method being implemented by an improved computer system programmed for reference checking in accordance with the computer-implemented method, comprising:

generating, by the improved computer system programmed for reference checking, a plurality of position specific surveys;

wherein each position specific survey comprises a plurality of survey questions specific to competency skills related to performance of at least one position;

wherein each response received, by the improved computer system programmed for reference checking, to each survey question corresponds to a number on a numerical extent scale;

wherein each position specific survey is configured for calculating an statistical score in each competency skills group of the competency skills based on statistical analysis of numbers on the numerical extent scale across responses received from the plurality of reference providers to the plurality of survey questions so that the responses from the plurality of reference providers are confidential from employers and job candidates;

receiving, by the improved computer system programmed for reference checking, through at least one first computer programmed graphical user interface, from at least one first employer, at least the following information:

i) job information, wherein the job information is related to at least one first position,

ii) an identity of each job candidate applying to be interviewed, and

iii) a selection identifying, from the plurality of position specific surveys, at least one first position specific survey related to at least one first position;

wherein the at least one first employer requires references from a plurality of reference providers to be received for each job candidate before the at least one first employer decides whether or not to conduct a job interview;

wherein the improved computer system programmed for reference checking is independent from each job candidate and the at least one first employer;

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receiving, by the improved computer system programmed for reference checking, through at least one second computer programmed graphical user interface, from a first job candidate from a plurality of job candidates applying to be interviewed, first contact information identifying 5 the plurality of reference providers,

automatically transmitting, by the improved computer system programmed for reference checking, at least one first personalized request to complete the at least one first position specific survey to the first reference pro- 10 vider, wherein the at least one first personalized request comprises:

  i) a first URL link to access the at least one first position specific survey, and

  ii) information informing that responses obtained in 15 response to the at least one first position specific survey are kept confidential from the at least one first employer and the first job candidate;

automatically transmitting, by the improved computer system programmed for reference checking, at least one 20 second personalized request to complete the at least one first position specific survey to the second reference provider, wherein the at least one second personalized request comprises:

  i) a second URL link to access the at least one first 25 position specific survey, and

  ii) the information informing that the responses obtained in response to the at least one first position specific survey are kept confidential from the at least one first employer and the first job candidate; 30

automatically transmitting, by the improved computer system programmed for reference checking, at least one third personalized request to complete the at least one first position specific survey to the third reference provider, wherein the at least one third personalized request 35 comprises:

  i) a third URL link to access the at least one first position specific survey, and

  ii) the information informing that the responses obtained in response to the at least one first position specific 40 survey are kept confidential from the at least one first employer and the first job candidate;

causing to display, by the improved computer system programmed for reference checking, through at least one third computer graphical user interface, the at least one 45 first position specific survey to the first, the second and the third reference providers respectively in response to the first, the second and the third URL links being respectively activated;

respectively receiving, by the improved computer system 50 programmed for reference checking, from the first, the second and the third reference providers, the responses to the at least one first position specific survey;

calculating, by the improved computer system programmed for reference checking, each statistical score 55 of the first job candidate in each competency skills group of the competency skills based on the responses, being respectively received from the first, the second and the third reference providers;

generating, by the improved computer system pro- 60 grammed for reference checking, for the at least one first employer, at least one reference report related to the first job candidate, wherein the at least one reference report comprises the statistical scores of the first job candidate in the competency skills groups of the at least one first 65 position specific survey, being calculated based on the responses of the first, the second and the third reference

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providers so as to maintain the confidentiality of the responses of the plurality of reference providers from the at least one first employer and the first job candidate;

wherein the statistical scores of the first job candidate are benchmarked against statistical scores of other job candidates who applied to a specific position that is at least similar to the at least one first position; and

wherein the at least one reference report is configured to allow the at least one first employer to decide whether or not to conduct the job interview with the first job candidate who has applied to be interviewed.

2. The computer-implemented method of claim 1, wherein the statistical scores of the first job candidate are benchmarked on a company-wide basis.

3. The computer-implemented method of claim 2, wherein the statistical scores of the first job candidate are average scores.

4. The computer-implemented method of claim 1, wherein the statistical scores of the first job candidate are benchmarked on an industry-wide basis.

5. The computer-implemented method of claim 4, wherein the statistical scores of the first job candidate are average scores.

6. The computer-implemented method of claim 1,

wherein the first contact information identifies a first email address, a second email address, and a third email address for the first, the second and the third reference providers, respectively;

wherein the receiving the first contact information identifying the at least three reference providers further comprises:

  validating domain portions of the first, the second, and the third email addresses against registered Internet locations, respectively, based at least in part on at least one industry standard database of the Internet locations;

wherein the automatically transmitting the at least one first personalized request to complete the at least one first position survey to the first reference provider comprises:

  sending the at least one first personalized request to the validated first email address;

wherein the automatically transmitting the at least one second personalized request to complete the at least one first position survey to the second reference provider comprises:

  sending the at least one second personalized request to the validated second email address; and

wherein the automatically transmitting the at least one third personalized request to complete the at least one first position survey to the third reference provider comprises:

  sending the at least one third personalized request to the validated second email address.

7. The computer-implemented method of claim 1,

wherein each statistical score of the first job candidate is an average score;

wherein the statistical scores of the first job candidate are average scores; and

wherein the statistical analysis is based on averaging numbers of the numerical extent scale across responses received from reference providers to the plurality of survey questions.

8. The computer-implemented method of claim 1, wherein the job information at least identifies whether the at least one first position involves managing others.

9. The computer-implemented method of claim 1, wherein the computer-implemented method further comprises:

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automatically assigning, by the improved computer system programmed for reference checking, a first unique identifier to a first reference provider of the plurality of reference providers;

wherein the at least one first personalized request is associated with the first unique identifier;

automatically assigning, by the improved computer system programmed for reference checking, a second unique identifier to a second reference provider of the plurality of reference providers;

wherein the at least one second personalized request is associated with the second unique identifier;

automatically assigning, by the improved computer system programmed for reference checking, a third unique identifier to a third reference provider of the plurality of reference providers; and

wherein the at least one third personalized request is associated with the third unique identifier.

10. The computer-implemented method of claim 9,

wherein the first URL link of the at least one first personalized request is encoded with the first unique identifier;

wherein the second URL link of the at least one first personalized request is encoded with the second unique identifier; and

wherein the third URL link of the at least one first personalized request is encoded with the third unique identifier.

11. An improved computer system programmed for reference checking, comprising:

at least one specialize computer machine, comprising:

a non-transient memory having at least one region for storing particular computer executable program code; and

at least one processor for executing the particular program code stored in the memory, wherein the particular program code is configured to at least perform the following operations upon the execution:

generating a plurality of position specific surveys;

wherein each position specific survey comprises a plurality of survey questions specific to competency skills related to performance of at least one position;

wherein each response being received to each survey question of the plurality of survey questions corresponds to a number on a numerical extent scale;

wherein each position specific survey is configured for calculating an statistical score in each competency skills group of the competency skills based on statistical analysis of numbers on the numerical extent scale across responses received from the plurality of reference providers to the plurality of survey questions so that the responses from the plurality of reference providers are confidential from employers and job candidates;

receiving, through at least one first computer programmed graphical user interface, from at least one first employer, at least the following information:

i) job information, wherein the job information is related to at least one first position,

ii) an identity of each job candidate applying to be interviewed, and

iii) a selection identifying, from the plurality of position specific surveys, at least one first position specific survey related to at least one first position;

wherein the at least one first employer requires references from a plurality of reference providers to be received for each job candidate before the at least one first employer decides whether or not to conduct a job interview;

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wherein the improved computer system programmed for reference checking is independent from each job candidate and the at least one first employer;

receiving, through at least one second computer programmed graphical user interface, from a first job candidate from a plurality of job candidates applying to be interviewed, first contact information identifying the plurality of reference providers,

automatically transmitting at least one first personalized request to complete the at least one first position specific survey to the first reference provider, wherein the at least one first personalized request comprises:

i) a first URL link to access the at least one first position specific survey, and

ii) information informing that responses obtained in response to the at least one first position specific survey are kept confidential from the at least one first employer and the first job candidate;

automatically transmitting at least one second personalized request to complete the at least one first position specific survey to the second reference provider, wherein the at least one second personalized request comprises:

i) a second URL link to access the at least one first position specific survey, and

ii) the information informing that the responses obtained in response to the at least one first position specific survey are kept confidential from the at least one first employer and the first job candidate;

automatically transmitting at least one third personalized request to complete the at least one first position specific survey to the third reference provider, wherein the at least one third personalized request comprises:

i) a third URL link to access the at least one first position specific survey, and

ii) the information informing that the responses obtained in response to the at least one first position specific survey are kept confidential from the at least one first employer and the first job candidate;

causing to display, through at least one third computer graphical user interface, the at least one first position specific survey to the first, the second and the third reference providers respectively in response to the first, the second and the third URL links being respectively;

respectively receiving, from the first, the second and the third reference providers, the responses to the at least one first position specific survey;

calculating each statistical score of the first job candidate in each competency skills group of the competency skills based on the responses, being respectively received from the first, the second and the third reference providers;

generating, for the at least one first employer, at least one reference report related to the first job candidate, wherein the at least one reference report comprises the statistical scores of the first job candidate in the competency skills groups of the at least one first position specific survey, being calculated based on the responses of the first, the second and the third reference providers so as to maintain the confidentiality of the responses of the plurality of reference providers from the at least one first employer and the first job candidate;

wherein the statistical scores of the first job candidate are benchmarked against statistical scores of other job candidates who applied to a specific position that is at least similar to the at least one first position; and

wherein the at least one reference report is configured to allow the at least one first employer to decide whether or

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not to conduct the job interview with the first job candidate who has applied to be interviewed.

12. The improved computer system programmed for reference checking of claim 11, wherein the statistical scores of the first job candidate are benchmarked on a company-wide basis.

13. The improved computer system programmed for reference checking of claim 12, wherein the statistical scores of the first job candidate are average scores.

14. The improved computer system programmed for reference checking of claim 11, wherein the statistical scores of the first job candidate are benchmarked on an industry-wide basis.

15. The improved computer system programmed for reference checking of claim 14, wherein the statistical scores of the first job candidate are average scores.

16. The improved computer system programmed for reference checking of claim 11,

wherein the first contact information identifies a first email address, a second email address, and a third email address for the first, the second and the third reference providers, respectively;

wherein the receiving the first contact information identifying the at least three reference providers further comprises:

validating domain portions of the first, the second, and the third email addresses against registered Internet locations, respectively, based at least in part on at least one industry standard database of the Internet locations;

wherein the automatically transmitting the at least one first personalized request to complete the at least one first position survey to the first reference provider comprises:

sending the at least one first personalized request to the validated first email address;

wherein the automatically transmitting the at least one second personalized request to complete the at least one first position survey to the second reference provider comprises:

sending the at least one second personalized request to the validated second email address; and

wherein the automatically transmitting the at least one third personalized request to complete the at least one first position survey to the third reference provider comprises:

sending the at least one third personalized request to the validated second email address.

17. The improved computer system programmed for reference checking of claim 11,

wherein each statistical score of the first job candidate is an average score;

wherein the statistical scores of the first job candidate are average scores; and

wherein the statistical analysis is based on averaging numbers of the numerical extent scale across responses received from reference providers to the plurality of survey questions.

18. The improved computer system programmed for reference checking of claim 11, wherein the job information at least identifies whether the at least one first position involves managing others.

19. The improved computer system programmed for reference checking of claim 11, wherein the particular program code is further configured to at least perform the following operations upon the execution:

automatically assigning a first unique identifier to a first reference provider of the plurality of reference providers;

wherein the at least one first personalized request is associated with the first unique identifier;

automatically assigning a second unique identifier to a second reference provider of the plurality of reference providers;

wherein the at least one second personalized request is associated with the second unique identifier;

automatically assigning a third unique identifier to a third reference provider of the plurality of reference providers; and

wherein the at least one third personalized request is associated with the third unique identifier.

20. The improved computer system programmed for reference checking of claim 19,

wherein the first URL link of the at least one first personalized request is encoded with the first unique identifier;

wherein the second URL link of the at least one first personalized request is encoded with the second unique identifier; and

wherein the third URL link of the at least one first personalized request is encoded with the third unique identifier.

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